

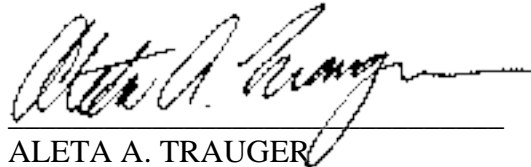
21.) On the same date, the plaintiff filed a motion seeking leave to amend his Complaint to clarify and further detail some of the allegations contained therein. (Docket No. 22.) He attached a proposed Amended Complaint as an exhibit to his motion. (Docket No. 22, Ex. 1.) The court hereby grants the plaintiff's Motion to Amend.

The filing of the Amended Complaint moots the defendant's pending motion to dismiss the original Complaint. The court will therefore deny the defendant's motion. Under Federal Rule of Civil Procedure 15(a)(3), the defendant would ordinarily be required to respond to the Amended Complaint by December 16, 2011. *See* Fed. R. Civ. P. 15(a)(3). Yet, as Rule 15(a)(3) grants the court discretion to alter the deadline to respond to an amended pleading, the court hereby orders that the defendant file a response to the Amended Complaint by noon on December 19, 2011.

CONCLUSION

For all of the reasons discussed herein, the defendant's Motion to Dismiss (Docket No. 17) is **DENIED** as moot, while the plaintiff's Motion to Amend (Docket No. 22) is **GRANTED**. The defendant is ordered to file a response to the Amended Complaint by noon on December 19, 2011. The Initial Case Management Conference will remain as scheduled on December 20, 2011 at 1:15 p.m..

It is so ordered.



ALETA A. TRAUGER
United States District Judge